

The ICPC Journal

A membership periodical published quarterly by the
International Conference of Police Chaplains ®

December 2003

JOURNAL



A professional
organization
serving those
that serve...

PRESIDENT'S PERSPECTIVE....

A message from Walter Schott, President of the International Conference of Police Chaplains.

It is a joy to be among the first contributors to this new edition and format of the ICPC periodical. I have felt led to share some excerpts from my address given at the ATS in Spokane. May these thoughts be an inspiration as well as a challenge.

- ◆ Focus on our Mission Statement—The key word is "mission." It is necessary to keep our eyes, mind and heart focused upon the mission, having a plan of operation in place. It is essential for us to know who and why, we are.
- ◆ Financial Freedom—ICPC has had its financial struggles, however, some good news. The fiscal year ended with a balanced budget! God wants to provide, and in His economy there are no borders or limitations.
- ◆ Long Range Planning—Dream, dream, dream! Many have put heart, soul, and prayer, along with years of accomplished service to bring this organization to the point it is today. We will not fail them now, nor in the future.
- ◆ Team Unity and Spirit—I am a great believer in team work augmented by a spirit of unity. We will continue to build bridges of understanding, mutuality, trust, and cooperation. Keep the vision, stay focused, remain prayerful, and be excited!!

—President Walt



The ICPC Journal

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Greetings from our Executive Director.....

Welcome to the first issue of our newly formatted periodical! I hope you will like what we have done with it. We are moving into a new era and we hope our periodical reflects just that. This membership periodical will now be a cooperative effort of the editorial committee, public relations committee and the Destin office. Our hope is that you will receive something that is educational, informative, meets our legal requirements, and is just plain fun! If you would like to submit an article for consideration, please contact the chairman of the editorial committee, **John Harth**, at frjmh@hotmail.com. In the meantime, enjoy your new periodical!!

Blessings,
Chaplain Chuck



Dr. Charles R. Lorrain
Executive Director

CHIT-CHAT

A Members Forum

Great Opportunity!!

At the 2003 ATS in Spokane, Chaplain Frank Nouza from the Peace Officers Research Association introduced a program available to experienced chaplains (tuition, books, fees) for taking college courses in ethics that would deal with the problems of ethics in policing. They could be courses like Ethics in Criminal Justice, Sociology of Morals, or Psychology of Values, etc.—pretty much anything that deals with ethical/moral content. In addition to this, there is also money available from this association to attend full police academies. Applications for the ethics course reimbursement may be requested from the ICPC office. Questions about or requests for the application for the full police academies may be sent to:

Francis O. Morris
Problems in Ethics and Policing
P.O. Box 444
Escondido, CA 92033

**Our thanks go out to Fr. Nouza for bringing this to the membership of ICPC!!

Cooperation!!

Yesterday we had a suicide here in our community. Both the local PD and SO had requested a chaplain. In responding and visiting with the family, we found that a death notification had to be made to his brother in Tucson, Arizona. I advised the family that I could have one of our ICPC chaplains make notification in person and they agreed to this. I called one of our members in Tucson, Michael Blevins, and he said he would make the notification, and if he could not, he would have another chaplain do so. Later that afternoon he called and said the notification had been made.

I just wanted you to know several things. How important our updated directories are to each one of us so that in times like this we can contact someone for assistance; how grateful I am for our sister/brother chaplains who are willing to pickup and serve at a moments notice; and how grateful I am for the fine assistance given to me and our department by Chaplain Blevins. I hope to someday have the pleasure of meeting him.

Chaplain Terry Olthoff,
 Sherburne County Sheriff's Office

Win-Win!

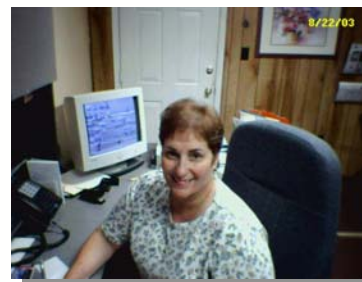
In July of 2003, Virginia Governor, Mark Warner, invited police chaplains to the state capitol in Richmond to witness a bill being signed into law. The bill, similar to one that is in effect in Virginia Beach, is to have the state pay for funeral costs for volunteer police chaplains killed in the line of duty



Right to left: seated; Rev. Donald Hawkins, Chesapeake chaplain retired, standing; Dr. John Tousan, Rev. Carter, Rev. David Libengood, chaplain from Chesapeake, the Senator, three chaplains from Henrico County, and Governor Warner seated in the middle.

Meet our new staff person.....Pat McGrew

Pat comes to the ICPC from Auburn, California where she was facility administrator for a large church. She will be our new regional coordinator and ATS registrar. In addition to working at the church, Pat has been an office manager for an environmental firm, worked for a orthopedic surgeon, and was a nurse for many years. She was on the Board of Directors of the Placer County Law Enforcement Chaplaincy and served as their secretary. She and her husband Rusty are excited about serving the ICPC and look forward to the years ahead.



Reinventing Yourself and Your Chaplaincy

By: David J. Fair, D.Min., BCETS, CMC

With: Leatha Warden, LPC

A chaplain may find himself or herself in a situation where h/she feels ineffective. H/she may have taken over someone else's Chaplaincy program or be assigned the task of making changes within the program itself. Regardless of the assignment, there may be any number of reasons the chaplain and/or the program is on shaky ground and in need of change.

When a person or program needs change, it is easy to become overwhelmed. This is especially true when stepping into a new position, and even more so when having to restructure a program someone else has developed. However, there is hope and help available. For example, by utilizing a retail sales business model, someone can literally reinvent themselves or their chaplaincy program.

Businesses can fail for any number of reasons. It may be a poor location. Perhaps there is an ongoing failure to carry products that are necessary for a particular region of sales. It might even be a customer satisfaction issue, such as a complaint that has not been dealt with effectively or to the customer's satisfaction. Individuals can fail in business by taking too long on coffee or lunch breaks. They may just sit in the back of the store and not greet or serve customers. They could even have poor personal hygiene. Whatever the reason, business success is affected.

If you are in a situation where you need to make changes, you can use these examples of "business killers" as a guide to reinvent yourself or the entire chaplaincy program in your department. Problems in the program or even with yourself must be given your undivided attention. The inappropriate behaviors or situations you tolerate will not change on their own and they will continue to have a negative effect until addressed.

Most of the time when change is needed, a proactive approach (one where you choose to make the changes rather than be directed to) is more desirable and effective. Consider the following proactive approach of how the Brownwood Chaplaincy program obtained an office. You have heard it said, in business the key to success is location, location, location. In the Brownwood (TX) chaplain program we

only had a small desk out of the traffic flow. Today we have a full office right across the hall from the chief, computer and phone included.

The office was not obtained by reactive behavior. We had to lobby for the location. We wanted to be highly visible to the officers and staff. This let them know where we were, but more importantly that we were available to assist them with any needs that might arise. It is difficult to sell any product if it is hidden in a corner.

In chaplaincy we must make sure we are carrying the right "products". In the early days, chaplains prayed at department events, conducted weddings and spoke at funerals. This was all most people knew about the program. Today the police chaplaincy addresses a much broader scope of needs. One of the needs the program addresses is serving much like an employee assistance program (EAP). Functioning in this capacity is saving the department thousands of dollars.

It is important; to be effective that we redefine what people need from the chaplaincy programs today. While chaplaincy programs may be old school, the ministry we offer must meet the demands of a new curriculum. There are several other ways Brownwood has attempted to meet the needs of our police force.

For example:

- ◆ Two of our chaplains have been to FBI hostage negotiation training. They are now able to act as consultants, or even as back up negotiators.
- ◆ Another chaplain is an emergency medical technician (EMT). He is able to provide minor emergency care in the field to both officers and victims. This is especially important because often a chaplain arrives before emergency medical personnel. This chaplain can already have a patient's vital signs and necessary basic information, thus saving the paramedic's critical time.
- ◆ All chaplains have been to traffic school. Each of them can assist with

traffic control at accident scenes.

- ◆ All Chaplains have had CISM training, thus they conduct department debriefings.

The list could go on and all. You can call it "add-on purchasing", or "value-added services." At any rate, it can greatly enhance the programs visibility, reliability and desirability.

By way of customer complaints, if there is a complaint about a chaplain from an officer or the public, then it is dealt with the same day and put to rest. This alleviates tensions between everyone involved, keeps a smooth functioning program and reduces negative gossip that could undermine program effectiveness.

In our chaplain program, we require our individual chaplains to be proactive. Chaplains are not just sit in the office, but to go to briefings, ride with the officers, to be visible and most important to be available. Situations that chaplains are most likely going to be sought out to deal with happen out on the streets, not in the chaplain's office.

Personal hygiene speaks for itself. Chaplains are not working under cover, so don't dress or smell like it.

Marketing your "product" is important. Our program publishes a quarterly newsletter. It's not for birthdays and anniversary listings or comics. We use it to promote the chaplaincy. In each issue we highlight one or two of our "products". It may be a service one of the chaplains can now offer, having just came back from a school/training. We talk about what the chaplain can now offer the department. It may be to announce that we are now carrying a jump kit in the chaplain vehicle for minor first aid, or a status board for hostage situations. In addition, we will provide information that can be of practical use to the troops. We may list the signs and symptoms of stress, or talk about grief reactions.

Another means that assists in making people aware of our program is through outreach to the public. This is accomplished by chaplains being represented in parades, civic clubs, and churches. We are always looking for opportunities to promote the ministry of the chaplaincy.

Involvement in civic activities helps us to know our customers as well. Knowledge about our customers is vitally

important. We have made a list of our customers or possible customers and then we set out to increase our customer base.

It is a given that the officers and civilian employees of the department are customers. We have met with the city manager and offered to do crisis intervention for all city employees.

We offer assistance to victims, not just by our presence, but now we assist them with victim compensation forms. This is a new customer service. As a result of this, our chaplains have a developed a great relationship with the victim service workers.

Counseling can be a big part of chaplaincy as well. However, not knowing your limitations can cause you more trouble than you can imagine and even get you sued. Thus, our chaplains have identified three types of counseling. The first is "tailgate counseling," which is similar to peer counseling and does not require a license, although some training is helpful. The second is pastoral counseling which is usually through an appointment in the office. Training in pastoral counseling is greatly preferred, and more often than not necessary, to be effective. The third is professional counseling, and is done by or requires referral to a licensed person. Fortunately, one of our chaplains is a licensed professional counselor. If someone in the department or a victim needs to be referred to counseling and has no insurance, this chaplain is able to see them through the chaplain's program at no cost.

Regardless of what your program offers, customer service by the chaplain and the program is the most important thing you can do. It requires meeting the expectations of our customers in three vital ways: Being dependable! Being professional! And Being Responsive!

Be Dependable: It is important that people who need a chaplain can depend on you for consistent services when they need it, and that you do it right every time. You must provide them with accurate information. It is better to take a little extra time to get the facts and services right than to go back and try to "fix" an error.

Be Professional: Always act professionally, to include dressing appropriately, being pleasant, friendly, positive, and as helpful as possible. One of the biggest traps is to get involved in

department politics. Chaplains are there to help bring peace, not become a member of the political undertow of the agency.

Be Responsive: Be aware of the needs and respond to them. Be as helpful, accessible, and effective as possible. Be responsive to people's needs in practical ways. We carry stuffed animals for children in crisis, water for victims and officers, etc. Also, we try hard to keep the back seat of the car clean. You never know when you might need to offer someone an opportunity to sit and rest under air-conditioning or heating.

As a chaplain you must always be ready to offer an alternative. To call the customer's pastor, to contact a therapist, to call someone who knows the answer to sticky questions, the priest, the rabbi, the Imam.

One of our chaplains recently finished an Islamic chaplain certificate course so that he could minister more effectively to individuals of that faith. Our chaplains have studied fact sheets on most religions and thus, are now a resource for the community. Keep in mind, chaplaincy is about service not theology.

In the case of revamping a program, you must reinvent the chaplaincy if it is not working. You must be bold yet patient. One suggestion is to make a big visible change to start. Changing the uniform colors is a good first step. It is a simple move, yet it shows a willingness to make modifications and changes. Have new radio unit numbers and badges assigned. Change things with high visibility so the officers and the community know that something new and good is happening. Then from the suggestions in this article continue to reinvent the program.

The same thing applies to chaplains who want to reinvent themselves. Changing the look signifies something is happening. If you have a beard or mustache--shave it. A special note here, some departments have a policy about facial hair and length of hair. Some chaplains get those regulations waved for them, as they are usually volunteer. You need to understand if you are allowed to do something different than the officers are required to do, it breeds resentment and can hurt the program. When in Rome do as the Romans.

As individual chaplains, we can start showing up at briefings. Even if the briefing is late at night, if you're there it

will express your level of commitment to the officers. Ask to ride with that difficult officer, the one who has been resistant to the program.

It is usually never too late to reinvent and make change. Once in a while, however, for whatever reason, you have compromised yourself as a chaplain to such a degree that you are unable to repair the damage. If this is the case, resign with a good attitude while accepting responsibility for your actions. Find an older chaplain from a different program that is willing to mentor you. Humbly allow them to help you work through what went wrong, how it could have been avoided and how to appropriately deal with similar situations before they get out of hand in the future. After you have utilized the retail sales business model to reinvent yourself, with the assistance of your mentor, start a new program for another nearby department. Remember wisdom is the better part of valor.

If you have just taken over a chaplain program that needs to be revamped, or you have started one from scratch, the ideas that have been presented will perhaps help you. But remember, your biggest asset in all you do as a chaplain is the "ministry of presence". When you have done all you can do to stand, just stand.

Give your loving presence.

David J. Fair, D.Min. is director of Chaplain Services for the Brownwood (TX) Police Department. He is a licensed Texas peace officer, and a certified EMT. He holds a Doctor of Ministry degree from Lake Charles Bible College. Fair is board certified as an Expert In Traumatic Stress, Diplomate, by the American Academy of Experts in Traumatic Stress.

Leatha Warden, MA, LPC, is currently working on her PhD. She is in her second year of internship (CPE) as an Associate Chaplain for the BPD.

Confidentiality & Legal Liability

By: Charles R. Lorrain D.Min., CMC, BCETS, CTR

Disclaimer—

The author of this article is not a lawyer. The information contained herein is meant for educational purposes only and is *not intended to be, nor in lieu of legal advice*. Should the reader have specific legal questions—qualified legal counsel should be obtained.

Perhaps no other issue or topic the law enforcement chaplain is involved with poses greater potential to destroy the chaplain or chaplaincy than the misuse or breach of confidentiality. The sacred and hard-earned trust placed in the department chaplain is a complete, yet fragile one at best. The reason personnel utilize the chaplaincy is not because of all the degree's hanging about the chaplain's walls, rather, the chaplain has developed credibility in his or her role and proven themselves faithful. Should the chaplain lose his credibility due to confidentiality issues, he has all but lost his ability to minister effectively.

Confidentiality as a topic, offers a myriad of "legaleaze" with which most clergy are not equipped to deal. Where one would hope for information or basic standards in black and white, confidentiality only offers many shades of gray. With the differences in denominational structure, religious continuity, confusion in terminology, and the ever-changing legislative climate affecting its outcome at every turn, it offers a harsh arena within to work. One thing is for certain—*most clergy do not have a sufficient understanding of confidentiality to protect themselves or their agency*.

The information rendered within this section is meant to be informational only and seeks to raise the chaplain's consciousness relative to the issue. It will then be incumbent upon the chaplain to take the information and research how it applies to them specifically within their own denominational or organizational structure. Once again, should specific legal questions arise, the individual should seek qualified legal counsel.

Note—

The laws of confidentiality are different and unique to each state; therefore the body of information within this

article will be generic; however, occasionally California law will be cited in example.

Confidentiality??

Why is there so much confusion relative to confidentiality? When I first entered the ministry, I believed that confidentiality just meant that members of the clergy didn't tell secrets. In my simplistic thought, I was partially correct. However, it wasn't long until I found out that it was that and a whole lot more.

Right from the start we have problems as we find ambiguity in the basic terminology. We tend to use the term "confidentiality" as an umbrella term. By that I mean we lump together terminology such as confidentiality, privileged communication, penitential communication, clergy-penitent privilege, etc. and believe it all has the same intrinsic meaning. This could not be further from the truth and a dangerous proposition for the unaware.

Most states have these terms bifurcated. When speaking to the base issues of confidentiality, we are usually speaking to a clergyman's ethical, moral, or professional mandate to keep information he hears or is told a secret. Suffice to say, every member of the clergy, regardless of their status in ministry or licensing, has this obligation to confidentiality. Within most churches or agencies, this is not an issue of confusion and probably is not worth spending a great deal of time on. It is not until we get to the other issue of confidentiality that the waters muddy a bit.

When we leave the realm of the ethical, moral, or professional obligations to confidentiality, we enter the statutory

regulations relative to confidentiality. These are

protections that are *usually* held for those members of the clergy who are licensed or ordained. Many states refer to this kind of confidentiality as "Privileged Communication". Basically, privileged communication is a *"statutory protection that enables a member of the clergy to receive certain communications in the context of his/her pastoral capacity, and being immune from*

*testifying to the same in a court of law"*¹. These protections generally come under the "rules of evidence" as they usually refer to what evidence is or is not admissible in a court of law.

Behind the legal privilege lies a social policy that would "encourage a person rather than discouraging persons from confession or seeking pastoral counsel." The Minnesota Supreme Court noted the reason:

"The fundamental thought is that one may safely consult his spiritual advisor. The purpose of the statute is one of a large public policy, based in part on the idea that the human being does sometimes have need of a place of penitence and confession and spiritual discipline. When any person enters that secret chamber, this statute closes the door upon him and civil authority turns away its ear."

As with all legal jargon, the terminology or "elements" of these statutes are critical to understand. Within them lies the blueprint for what the law says can or cannot be held confidential for a member of the clergy. They will define what a "clergyman" is, what a "penitent" is, and under what circumstances or situations privileged communication can be claimed. Members of the clergy do not have to memorize these statutes, but they most certainly need to know where they are found and how they operate. A misunderstanding or misapplication within this realm could potentially lead one to jail or to a lawsuit, so it is imperative to be educated on this.

One revelation that usually comes out of this newly acquired knowledge is that the laws of confidentiality are broadly written to be very inclusive of all religious persuasions. What this means to most

"Most clergy do not have a sufficient understanding of confidentiality to protect themselves or their agency"

chaplains is that issues of how the court may view them or their role relative to privi-

leged communication usually falls back to their particular denomination or ecclesiastical covering. How you are viewed by your church or organization, what your by-laws state, what written policies you have in place or what is a matter of practice and/or history may all come into play. It would be advisable to contact your denomina-

(Continued on page 7)

tion's legal counsel or talk to a lawyer to have them review the laws of your particular state and see how they apply to you and your church. This is one area that an ounce of prevention will certainly yield more than a pound of cure!

One could say that in a base sense we all have the same confidentiality... It's just a matter of what we want to pay to keep it!!

Child Abuse

Another area that is often problematic for the clergyman is that of child abuse and mandated reporting. Again, state legislatures have contributed to this confusion by passing laws that have made clergy mandated reporters one year, and having reversed themselves several years later. It has been my experience that most clergy and government entities still do not understand how these laws apply to clergy.

Mandated reporters are persons who are required by law to report known or suspected child abuse to the authorities. They have a *legal duty* or "mandate" to report suspicion or knowledge of child abuse that they may encounter in the course of their professional capacity. Failure to report such abuse could lead to criminal action being taken against them. Because of the legal mandate to report such abuse, mandated reports are usually immune from civil actions if the report turns out to be false.

Discretionary reporters, on the other hand, are persons who have a concern for a child's welfare but do not have a legal mandate to report such abuse. They may make a "good-faith" report if they have good reason to believe abuse is occurring. Since discretionary reporters do not have a legal mandate to report, they cannot be held criminally liable for failure to report. However, with this comes the other side of the coin--civil liability. If it can be proven that a report was made maliciously, frivolously, or with reckless disregard for the truth, the reporter may be subject to civil liability.

Where many clergy get into trouble outside of the general rules regarding child abuse reporting is when they have dual mandates. That is to say, they have confidentiality within one part of their profession, but are mandated to report within yet another. Examples of this would be where a person is a clergyman and a

school's principal, or a policeman and clergyman, clergyman and licensed counselor, etc. There is much case law to show the pitfalls in having dual mandates and how this can be a very delicate situation--maybe a no-win situation for a member of the clergy. Again, it is incumbent on the reader to find out how the rules of child abuse and mandated reporting apply to them within their particular state and denominational structure.

Some states have changed the laws in recent years to make clergy mandated reporters once again but have kept the confessional intact. An example of this lies in California law where AB3354, chaptered in 1996, changed sections of the California Penal Code. In § 11166 (a) of the California Penal Code, it specifies the duties of the clergy as mandated reporters except as provided in subsection (C). In paragraph (C) (1) it says; "*A clergy member who acquires knowledge or reasonable suspicion of child abuse during a penitential communication is not subject to paragraph (a)*"³. This is one example of where the law can both clarify and confuse the issue of mandated reporting in the same statute.

Irrespective of what the law may or may not say, there are those individuals and/or religious denominations that will maintain absolute confidentiality no matter what. In matters of moral conscious or denominational direction, the chaplain must do whatever he/she feels they must. The cost of maintaining confidentiality must be carefully weighed as the consequences rest squarely on the shoulders of the chaplain.

Americans with Disability Act--ADA

Another aspect of confidentiality that may apply to clergy is that found within the *Americans with Disability Act* or ADA as it is commonly referred. The ADA was never intended to be a confidentiality statute; rather, it was enacted as part of anti-discrimination legislation.

The reason the ADA can apply to clergy is that it is federal law, which supercedes state confidentiality laws. Where it is relevant to clergy is that within the ADA statute it defines HIV and AIDS as a disability⁴. Discrimination against persons with contagious diseases based upon unsubstantiated perceptions of threat of infection violates the ADA. This means that

you cannot disclose a person's HIV or AIDS status without their permission or you could be violating their civil rights. Again, this was never meant to be a confidentiality statute, but a protection for those with HIV and AIDS against discrimination. Depending on the scope of a chaplaincy program, this may or may not be an issue. However, this is one of those low probability, high liability issues that the chaplain must be appraised if they are to protect themselves or their programs.

Chaplaincy Programs Validated

Ask any chaplain who has started a chaplaincy program what the most common question or misperception is that he has had to deal with and he will tell you it is the perceived problem of the separation of church and state issues. However, he will also tell you that once a city attorney or county counsel reviewed the applicable case law, it all became a non-issue.

Several federal courts have upheld the constitutionality of legislative, military, and hospital chaplaincies. In addition, the Washington Supreme Court upheld the constitutionality of a sheriff's department chaplaincy program.

In *Marsh v. Chambers*⁵, the Supreme Court relied upon historical background of legislative chaplaincies to justify that of the Nebraska legislature, instead of applying the three-prong *Lemon test* of constitutionality. Further, the Court held activities of the legislative chaplain amounted to neither an establishment of religion nor a step toward establishment. *Id.* at 792. Instead, the chaplaincy was viewed as "simply a tolerable acknowledgment of beliefs widely held among the people of this country." *Id.*

In *Katcoff v. Marsh*⁶, the court found that military chaplaincy passes the *Lemon test*. 755 F.2d at 232. The court considered the history of these chaplaincies, *id.* at 232, the need to alleviate unique stresses of military life, *id.* at 228, and the need to permit military personnel Free Exercise of religion in remote locations in rejecting application of *Lemon* and upholding Army chaplaincies. *Id.* at 235.

In the Eighth Circuit Court of Appeals decision in *Carter v. Broadlands*⁷, the court utilized the *Lemon test* to uphold the constitutionality of a hospital chaplaincy program. See 857 F.2d 448 In providing grief counseling and related ser-

(Continued on page 10)

2003 ATS Spokane, WA



30th Anniversary Pictorial Re-cap



Memorial service with the Spokane County Sheriff Honor Guard



Banquet entertainment with Chaplain George Hippe and his dummy "Arnold"



Executive Director Chuck Lorrain & President Dan Nolta awarding certification to Canadian Allan Higgs



Honored group assembled for the David DeRevere presentation



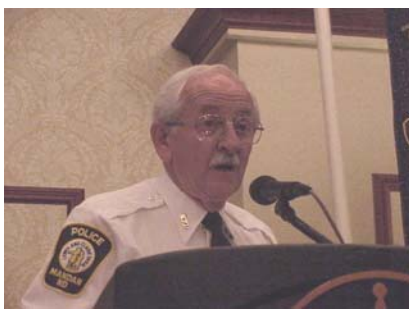
Conference host Sheriff Mark Sterk



Incoming President Walter Schott with outgoing President Dan Nolta



Banquet Emcee—Chaplain John Powell from Rockford, IL



"Presidential Address" by President Walter Schott



Conference co-hosts John & Karen Thompson of Spokane



Officer swearing-in ceremony (l-r) Secretary Rickey Hargrave, Vice-President Wesley McDuffie, President-Elect Craig Hungler, President Walter Schott.



Banquet festivities



Auxiliary choir in action



"Merit Award" recipient and Past-President Michael Dunnill



John A. Price Award recipient for a "career chaplain," William Glennie (r) from Phoenix, AZ, with Margaret Price and Past-President Jim Wieging.



John A. Price Award recipient for a "volunteer in a smaller department," Judy Hida of Clovis, CA.

(Continued from page 7)

vices, the court found a secular purpose for the chaplaincy, necessary under the first prong of *Lemon*. *Id.* at 454. The court went further and determined that the chaplain did not proselytize or promote specific religious beliefs; therefore the second prong of *Lemon* was satisfied. *Id.* at 455. Additionally, the court further held the third prong was not only satisfied, the level of government and religious entanglement was actually reduced by the chaplain's involvement in meeting patient's religious needs and supervising volunteer chaplains. *Id.* at 456.

The Washington Supreme Court applied the *Lemon* test in upholding a volunteer police chaplaincy in *Malyon v. Pierce County*⁸. In providing secular services such as death notification and counseling, the program met the secular purpose prong. *Id.* at 1275, 1286. Further, because police chaplains provided broad-based counseling services to people of all religions or no religion at all, the effect was not a prohibited advancement of religion. *Id.* at 1288. Additionally, as Pierce County chaplains were under the sole authority of the sheriff's department, did not serve as representatives of their denominations, and were not paid a state salary, the court found no third-prong excessive entanglement of government and religion. *Id.*

The main court case used as the benchmark for the validity of chaplaincies is *Lemon v. Kurtzman*⁹. The *Lemon* case established a three-pronged litmus test to determine whether a statute or government policy will offend the Establishment Clause of the First Amendment. The three prongs of the *Lemon* test state that a program or policy must:

1. Have a secular purpose
2. Be religiously neutral
3. Avoid excessive government entanglement

Having satisfied each of these "prongs" a program or policy would not violate the Establishment Clause.

Based upon the federal and state law cited above, it is clear that a chaplaincy program in a police department does not violate the Establishment Clause of the First Amendment.

Dr. Charles R. Lorrain is the Executive Director of the International Conference

of Police Chaplains.

1. California Evidence Code § 1032 "Penitential Communication"-- synopsis
2. Placer County Law Enforcement Chaplaincy Training Manual "Keeping Secrets"—Author unknown
3. California Penal Code § 11166 (C) (1) "Exemption to duty"
4. Americans with Disability Act--1990
5. Marsh v. Chambers, 463 U.S. 783 (1983)
6. Katcoff v. Marsh, 755 F.2d 223 (2d Cir. 1985)
7. Carter v. Broadlands Medical Ctr., 857 F.2d 448 (8th Cir. 1988)
8. Malyon v. Pierce County, 935 P.2 1272 (Wash. 1997)
9. Lemon v. Kurtzman, 403 U.S. 602 (1971)

CORRECTIONS

Bob Iaquinto, Academic Registrar
Corrected Fax: (201) 985-1787

In the last newsletter we identified the chaplain leading the invocation at the Tillamook, OR. law enforcement night of gratitude as Jim McFarland when it should have been Jan McFarland. Our apologies.

REMINDER

The deadline for applications for Master's Level Certification is:

► ► **January 1st** ◀ ◀

Special Thanks To ICPC

October 29, 2003

Dear Members of ICPC:

Ellen and I are deeply touched by the tributes given us at the banquet at the ATS in Spokane in July.

The resolution and gift of Honorary Life Membership given by the Board of Directors is truly appreciated.

Serving you as an elected Vice-President, as Secretary, and then for 18 years as Executive Director was a great honor.

Out prayers will always be for ICPC's support for you, the members, as you do the work of law enforcement chaplaincy.

Faithfully,
David W. DeRevere

In Memoriam

CHAPLAIN JOSEPH W. FARROW

Beloved husband of

Bonita Farrow

Died: October 23, 2003

Condolences: 1019 S. Robinhood
Spokane, WA 99706

On the International Scene



New Zealand—Craig Hungler, President-Elect

At the ATS in Spokane, the ICPC was invited to New Zealand to take part in the New Zealand Police Chaplains Training Seminar in September. I was honored to be sent the information and invitation from the co-coordinating chaplain, Winton Davies. Upon confirming my attendance, I was blessed by a very supportive Executive Board of the Fraternal Order of Police where I serve as chaplain. They voted unanimously to pay my entire round-trip airfare in support of chaplaincy and the ICPC. My chief was supportive in that he allowed me to complete the trip and only have to use vacation time for half my time away from the office.

I traveled to Wellington, New Zealand arriving there on September 26th and was met at the airport by Chaplain Davies. That weekend I adjusted to the 17-hour time difference from my home in Columbus, and refine my remarks for the week. On Sunday morning I was given the opportunity to preach at St. Marks Parish, where Chaplain Davies serves. Monday morning was the Australasian and South Pacific Remembrance Day Service at the Royal New Zealand Police College. This was a very nice event at which I was given the opportunity to participate. It was a moving and interesting time for me, as the entire nation of New Zealand had not lost a police officer in the line of duty for the entire year. Tuesday evening was a formal dinner for the chaplains training seminar. During the banquet, I gave my keynote speech to the men and women serving as chaplains. I introduced many of them for the first time, I believe, to the ICPC explaining the benefits of membership and mission of our organization. This dinner was attended by both the police commissioner for the national police service, Rob Robinson, as well as the two men who are in charge of the H.R. section for the police services under which the chaplains section is housed. It was a good opportunity to explain to them what the ICPC does and how we can help them in the future. One of the interesting things shared by the Commissioner was the fact that he intends on creating a paid position to serve as their coordinating chaplain. I offered the ICPC's assistance in development of the job description and responsibilities as they create this post. Wednesday, I was given the opportunity to speak about the terrorism in our country on 9-11, and how the ICPC played an integral part of the care for public safety members after that date. It was a good time to share with people who watched it all unfold on CNN from the other side of the world. Also on that day, one of the NZP members shared about the terrorism in Bali which had taken place the previous year.

This trip was highlighted for me with many special memories. Chaplain Davies and his wife Judy were wonderful hosts to me during my stay. The NZP chaplains were all very warm and welcoming, eager to hear more about the ICPC and to start an ongoing relationship. I consider it a great honor to represent the ICPC and thank you for the opportunity to do so as your president-elect. —Craig Hungler



L to r: ICPC member Winton Davies, President-Elect Craig Hungler, & Police Commissioner Rob Robinson.

PACPAC Africa—Dan Nolta, Past-President/International Committee Liaison



Officers from Kenya, Nigeria, South Africa, Tanzania, Ethiopia, and Zambia gather at PACPAC 2003 to hear International Liaison, Dan Nolta, explain the work of ICPC and how to start a chaplaincy program

PACPAC 2003, (Pan Africa Christian Police Association Conference) meeting in South Africa is now history. This historic gathering of police officers from across the African Continent (9 countries) was also visited by officers from the US, UK, Scotland, and Germany.

This gathering for fellowship, worship and study more than fulfilled its purpose with lively, "worship African style" beginning the day at 0700 and closing out the day at 1000 at night. Classes on moral purity, ethics-based leadership and lessons from the book of Habbakuk filled the day with more than enough challenge for every participant.

As ICPC's representative to PACPAC, I was thrilled at the opportunity to meet with representatives from so many countries that were interested in having chaplaincy for their police agencies or learning more about certification and communicating with other chaplains.

(Continued on page 14)

Chaplains Helping Chaplains

By: Tim Klerekoper, MACM, D.Min., BCETS

came out to tell us that Steve had died on the

Chaplains are, by their very nature, people who love to help other people. They can also help each other. Let me give you some powerful illustrations of chaplains helping fellow chaplains.

March 7, 2001 was one of the most difficult days I have ever had to endure. The evening before I'd gone to the station to speak with an officer - and when I was leaving he batted me on the shoulder and said "love ya, dude." We were friends. Five hours later the phone rang ... and the Sergeant on the other line sounded grim. "Steve's been shot," he told me. "It doesn't look good - you need to get down here now." When I arrived on scene I could see by the look on the firefighters faces that things were in fact not good.

I was assigned someone to drive me to the officer's home ... and we bundled his wife and two-year old son into a department vehicle and hurried to the hospital. I ferried between the operating room and a room set aside where family members were gathering. The mood was grim, and I was busy concentrating on the needs of the family.

I was walking down the hall and ahead of me were two double doors with glass windows. As I approached the doors I noticed a hand ... and someone was motioning me to come to them. It was chaplain John Oas - head chaplain for Seattle Police Department. John shut the doors behind me ... looked me straight in the eye and asked me, "have you had the chance to cry yet?" The question stopped me in my tracks. He put out his arms ... and I found myself sobbing on his shoulder ... and haltingly telling him how badly the pain hurt ... and about the hopes and dreams I'd had for this officer who was now dying in an operating room only feet away from where I was standing. John didn't say a word ... he let me talk ... and sob. After a few minutes I let go ... and he grabbed a handkerchief and let me dab my eyes. "Time to go back into the fray," John said, wiping the tears out of his own eyes.

Only moments later, the surgeons

operating table and together we went in to inform the family. After telling the family how hard they'd tried to save him, the doctors asked if the family wanted to see him. They did ... and went to freshen up before being led to a room where Steve lay.

As I turned to go with them, I saw John motioning to me again. "Do you think you might like to go in and see him first?" he asked. I did. We went together ... and when I saw my officer lying on a hospital gurney I lost it again. I hugged him ... and cried ... and poured my heart out to John. Steve and I had been on a ridealong the week before ... I'd done marriage counseling with he and his wife ... and I'd come to feel that his two-year old son was like my own. It felt good to pour my heart out to someone who wanted to listen. John put his arm around me ... stood next to me ... and didn't say a word. After a few minutes I was doing much better ... and minutes later I was able to be the pillar of strength for the family I was expected to be. It was incredibly helpful to have my own personal moments of grief before I walked along side them while they had theirs.

Later I learned that John had gotten calls from some colleagues who'd suggested he take over at the hospital. He was far more experienced than I was ... but John had told them that it was my officer and my department ... and he simply wanted to be there to assist me in any way he could.

I will be forever grateful to John ... his quiet strength and humility enabled me to minister so much more effectively. He was truly a chaplain helping a fellow chaplain.

For the next four days my world was a jumble of meetings and personal and corporate interventions as the department and the community tried to come to terms with losing an officer. My co-worker at Des Moines Police is Lew Cox ... and we had our hands full. I had barely returned to the department when then ICPC President Dan Nolta arrived at our station. "If you don't mind," he said, "I'd be honored to assist you both in any way I can." He went on to say that he'd be in the conference room and that he'd be

willing to be used anytime I called on him.

I have to admit ... there were times we actually forgot he was there. We were involved in so many issues - planning a service that over four thousand officers attended and handling so many hundreds of details kept us busy 20 hours a day. But Dan was there every day ... and his experience and advice was tremendously valuable. And he was adept at the simple things too ... one afternoon he slipped out and brought us both sandwiches ... we hadn't thought about eating, but he was on top of it. One of the most experienced chaplains in the country ... showing the marks of a true servant and a true friend and colleague. A chaplain helping another chaplain.

I can't leave out my dear friend Allan Folmar who worked quietly behind the scenes and still calls me weekly to "check up on me." He has a quiet way of not intruding ... but looking back on the months after the event, I realize he's faithfully walked alongside. There's something comforting about "long-term" fellowship and camaraderie.

There were others that helped too. The week after the memorial service, chaplain Jerry Montgomery called and offered to debrief me, so we met for what turned into a four-hour lunch. Again - I was grateful for his carefully crafted questions and his genuine concern that I go through the initial re-entry steps. We have a wonderful female chaplain that works with us at King County Sheriff's - Pat Tosch has long been regarded by some of her officers as "Mom" - a wonderfully affectionate title. Both Allan and Pat helped us tirelessly. I'd come out of a meeting to find them doing a one-on-one with our officers - many of whom expressed their appreciation in the months following the shooting.

I'd encourage you to always be willing to accept your fellow chaplains help when you need it. And I'd also encourage you to never underestimate your ability to come alongside a fellow chaplain and make a tangible, positive impact in their ministry.

.....
Dr. Tim Klerekoper is the Executive Director of Charters Foundation and the Chaplain Director for several police and fire departments in the Seattle area as well as the Northwest Regional Director of ICPC.

So wrote Evangeline Wilkes. When I read in a book, Right Foot in the Pacific-Left Foot in the Atlantic, that an old high school buddy was thinking about walking from Seattle to Miami, I became somewhat interested in the venture.

We flew to Seattle on Friday, May 30th and were met by ICPC Past-President, Dan Nolte. We were given a first-class sendoff including a bagpiper leading the way right through the heart of Seattle!

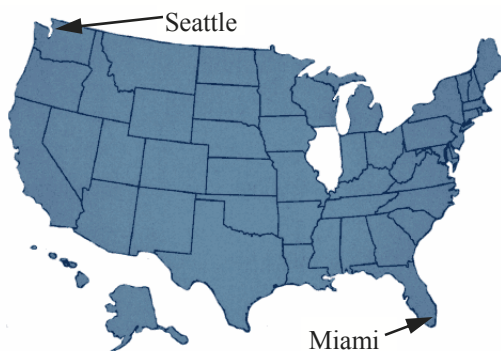
The first night found us in Renton, Washington at a Holiday Inn Express, courtesy of the chaplains of the Renton PD. Ken Gaydos was like a shadow the first few days, popping up here and there taking video shots that you saw at the Spokane ATS.

I must say that western Washington and our walk through the Cascades was absolutely breathtaking. It is not called the Evergreen State for nothing! However, I was not prepared for the eastern half of Washington—high desert country! On the afternoon of June 17th, we walked (limped might be the better word) into Clarkston, Washington on the Washington/Idaho border. We were out of water and low on food and the temperature was over 105 degrees! My left leg was badly swollen by what I was to later learn was an infection from a blister. After going to the emergency room and spending two days in a motel, the leg was no better.

I took advantage of the regional airport there to fly home to get treatment. Reluctantly, I left David not knowing if I would be able to resume the walk. Meanwhile, David continued his odyssey across Idaho to Missoula, Montana, taking 9+ days for the 177 miles.

On July 1st my grandson and I drove 33 hours non-stop back to Missoula to meet David and resume the journey. Or so I thought! David said “No! You have to go back to Clarkston and walk across Idaho!” So we drove the 177 miles back to Clarkston and I began again walking across Idaho-by myself! It took me just 6+ days and I rejoined David in Missoula. From that point we walked together.

Jim Powell and his 3400 mile cross-country walk to the top of the world



Montana is a “BIG” state! It took us 28 days to walk across the Treasure State, but we enjoyed every step. I have never seen stars at nighttime more vivid! It was in Montana that David came to my tent about 3:00 am one morning and said “Jim, get up! The fields are on fire!” Sure enough, I could smell smoke and looking out ahead of the tent saw fire all around us. Lightning had struck the

Dakota. We noticed an unusual number of motorcycles that were in the area. It was the 100 year anniversary for Harley Davidson motorcycles!! Try sleeping in your tent along the road with hundreds of “hogs” going by all night long! I came home and promptly sold my Harley stock.

At Deadwood, South Dakota, the “WALK” would have a drastic change. My 18 year-old grandson decided that 5 and a half weeks of this foolishness was enough and he wanted to go home. I had no choice but to take him home. Reluctantly, I left David for a second time. This time I wept because I was not sure if I would be coming back.

I did return to the walk and after a few weeks home returned back to the spot at Deadwood where I left David. The days in the Black Hills were most enjoyable and the scenery breathtaking. I made it to Seneca, Nebraska, before coming home a third time because the person staying with me could only stay a limited number of days. But I made it back with my brother-in-law and made it through Kansas, and Missouri to the Arkansas line. Calling home, I found out that they discovered a mass on my mother’s pancreas, so I came home again. After some positive test results, I returned to the “WALK.”

This time I made it through Arkansas, Louisiana, Mississippi, Alabama and to Destin, Florida and the headquarters

of the ICPC! Florida is a big state so due to time issues, I decided Destin, rather than Miami would be my final stop.

The “WALK” has been a lot more demanding than I thought. In some ways I am disappointed I didn’t make it all the way to Miami, but then again, how many people have the opportunity, or would even consider the challenge of walking across this great country of ours!

I give God thanks for all of you!! Your concern and prayers were most helpful through the ordeal. —JP

(See the full text of Jim’s story on the ICPC website)

“On the sands of hesitation lay the bones of countless millions; who at the dawn of victory sat down to wait and awaiting died” —Evangeline Wilkes

area.

It was in Montana that we were met by Chaplain Paul Reeder of Billings PD. His hospitality was greatly appreciated. Time does not allow me to tell of Frank and Lexi Bear Quiver, two Cheyenne and Crow Indians who stopped along the road, listened to my story and gave me \$2.12 for ICPC! I made the mistake of asking Frank if he was a Crow Indian. I thought it was going to be Custer’s last stand repeated with Jim Powell losing his scalp! Frank was full-blooded Cheyenne and told me to this day the Crow and Cheyenne do not get along!!! Sorry Frank.

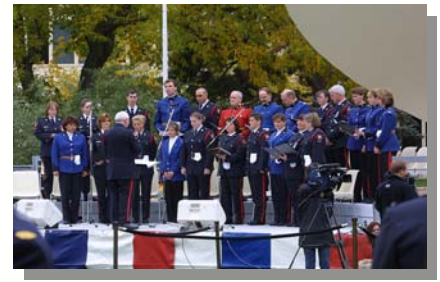
Skirting through the northeast tip of Wyoming, we were now in South

(Continued from page 11)

The “fields” of Africa are fertile ground for the spread of chaplaincy. Helping to begin programs in some countries and train in other countries seem, a certainty if political and social problems can be overcome. A tentative date for the month of April is now set for training of chaplains in Kenya with others perhaps coming from other countries.

At the close of the conference, the Nigerian delegation issued an invitation to hold PACPAC 2005 in their capital, Lagos. ICPC will be represented!
—Dan Nolte, International Liaison

Each year our neighboring Canada holds various police and peace officer memorials. The pictures below are from the Edmonton, Alberta services in September 2003.....Enjoy!



Photos courtesy of Kim Woolgar, Edmonton Police Services

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Please fill this out and return promptly if you are moving or if you have a change of phone number or email address.

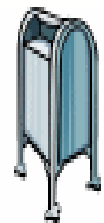
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